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Case 3:07-cv-05634-CRB

1	Pursuant to Local Rule 6-1, and in light of the February 19, 2008 Judicial Panel on					
2	Multidistrict Litigation ("JPML") Transfer Order consolidating this case and the other					
3	Transpacific Passenger Air cases, Plaintiffs Donald Wortman, William Adams, and Margaret					
4	Garcia ("Plaintiffs"), and defendant China Airlines Ltd. ("Defendant"), through counsel, hereby					
5	stipulate and agree as follows:					
6	IT IS HEREBY STIPULATED AND AGREED that Defendant's time to answer, move of					
7	otherwise plead is enlarged until either: (1) 45 days after plaintiffs in the Transpacific Passenger					
8	Air cases file and serve a consolidated amended complaint; or, (2) 45 days after plaintiffs in the					
9	Transpacific Passenger Air cases provide written notice that a consolidated amended complaint					
10	will not be filed.					
11	IT IS FURTHER STIPULATED AND AGREED that defense counsel shall accept service					
12	on behalf of Defendant of the summons and complaints in the above-captioned matter, including					
13	any amended or consolidated complaints, and further, that Defendant shall not contest sufficiency					
14	of process or service of process. This Stipulation does not constitute a waiver of any other					
15	defense including, but not limited to, the defenses of lack of personal or subject matter					
16	jurisdiction or improper venue. Nothing in this paragraph shall obligate Defendant to answer,					
17	move, or otherwise respond to any complaint until the time provided in the preceding paragraph.					
18	IT IS SO STIPULATED.					
19						
20	Respectfully Submitted,					
21						
22	Dated: February 22, 2008  By: <u>/s/Neil Swartzberg</u>					
23	Joseph W. Cotchett Steven N. Williams					
24	Nanci E. Nishimura Neil Swartzberg					
25	Aron K. Liang COTCHETT, PITRE & MCCARTHY					
26	San Francisco Airport Office Center 840 Malcolm Road, Suite 200					
27	Burlingame, CA 94010 Telephone: (650) 697-6000					
28	Facsimile: (650) 697-0577					

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1 2	Datadi Fahmani 22, 2009	D.v.	Class	ntiffs and the Proposed		
3	Dated: February 22, 2008	By:	James V. Dick	_		
4 5			1201 Pennsylvani Washington, D.C.	ERS & DEMPSEY LLP a Avenue, N.W., Suite 500 20004		
6			Tel: 202-626-6600 Fax: 202-626-678	)		
7			jdick@ssd.com			
8			Attorneys for Defe	endant China Airlines Ltd.		
9	ATTESTATION OF FILING					
10	Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), I, Neil Swartzberg, hereby					
11	attest that concurrence in the filing of this stipulation and proposed order has been obtained from					
12	Counsel for Defendant China Airlines Ltd. who has provided the conformed signature above.					
13						
14			COTCHETT, PIT	RE & MCCARTHY		
15		By:	<u>/s/ Neil Swar</u> Neil Swartzberg	tzberg		
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